

# **SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD**

## **EXECUTIVE OFFICER'S REPORT**

**August 13, 2003**

### **PART A**

#### **SAN DIEGO REGION STAFF ACTIVITIES** *(Staff Contact)*

1. **Border Meeting at San Diego State University** *(David Hanson)*

On July 31, 2003 the San Diego State University Department of Geography hosted a workshop on the San Diego County-Baja California Water Quality Prediction and Monitoring Workshop. The purpose of the workshop was to provide a presentation of the results of the Tijuana River Watershed Water Quality Prediction and Monitoring Project funded by the State Water Resources Control Board through this Regional Board. The project primarily focused on the Campo Creek and Tecate Creek sub-basins. Dr. Richard Wright coordinated the workshop and Dr. Rick Gersberg, Dr. Allen Hope, and Dr. Doug Stow provided presentations. The presentations included a visualization of coastal water quality monitoring data, evaluation of remote sensing imagery, the utility of satellite data for mapping and identifying land use and anomalous vegetation areas, water quality studies in Tecate Creek, and watershed modeling.

2. **Manure Management Workshop** *(Whitney Ghoram)*

On July 10, 2003, Ms. Whitney Ghoram of Regional Board staff attended a manure management workshop facilitated by Mr. Peter Moon, Price-Moon Consulting and Environmental Engineering. The purpose of the workshop was to discover a method of composting (aeration) that utilizes livestock waste as a benefit to livestock owners, farmers, neighbors, and the environment. Emphasis was made on manure production rates per horse, how the type of bedding that is used can affect manure production volumes, nutrient ratios, how to manage manure piles and leachate to avoid impacts to groundwater and surface water quality, and how to turn a waste into a resource by quality composting.

The workshop also focused on alternative methods of composting, bedding materials and compost quantity, compost quality, benefits of using compost, keys to success, and a site tour. The workshop was geared toward private and public sector organic waste managers.

There were approximately 20 attendees consisting of equestrian facility operators, private citizens, horse bedding distributors, and regulatory agency representatives. Attending were regulatory agency representatives from the South Orange County Reclamation Authority, the City of San Juan Capistrano, and the Santa Ana Regional Board.

### 3. Equestrian Facility Task Force (*Whitney Ghoram*)

The City of San Juan Capistrano has organized a Task Force for the purpose of developing Best Management Practices for equestrian facilities. The City has scheduled six Task Force meetings. The Task Force consists of regulatory agencies, equestrian supply distributors, facility operators, and private citizens. Regional Board staff attended the first Task Force meeting in July.

### 4. Meeting with Marina Officials (*Pete Michael*)

On July 29, 2003 the Executive Officer met with members of the Marina & Yacht Club NPDES Permit Response Team, a committee formed to review the proposed regional coastal marina general permit. The marina permit had been presented under Item 13 at the June 11<sup>th</sup> Regional Board meeting, *NPDES Permit: Tentative Order No. R9-2003-0215, NPDES NO. CAG999001, General Waste Discharge Requirements for Waste Discharges Associated With Marina Operations to Coastal Waters in the San Diego Basin*.

The July 29<sup>th</sup> marina permit meeting had been requested by the Permit Response Team consisting of Mr. Purdon, Mr. Leathers, and Ms. Miller representing marinas; Mr. Cloward representing the San Diego Port Tenants Association; and Mr. Merk representing the Port of San Diego Environmental Services Department. The overall purpose of the meeting was to exchange information about how the Regional Board intends to approach harbor water quality issues. The Executive Officer explained that because of state budget problems, further work on the marina permit had been placed on hold. The Executive Officer informed the Response Team that marinas should in some way be accountable for pollutants discharged to harbors. The Response Team indicated its intent to submit a proposal for an industry-supported pollution prevention program to be administered by harbor authorities.

Since the June 11<sup>th</sup> Board meeting, the Executive Officer had sent a letter dated July 24, 2003 requesting proposals for a coordinated harbor-monitoring program in the San Diego Region. Copies of the letter were provided to the Permit Response Team. See the Executive Officer report, *Harbor Ambient Monitoring Program* in Part B for more information regarding the letter.

### 5. NOV Issued to Schutte & Koerting, Inc. (Former Ketema Aerospace Facility) (*John Anderson*)

On July 15, 2003 the Executive Officer issued Notice of Violation (NOV) R9-2003-271 to Schutte & Koerting, Inc. and Ametek, Inc. for violation of Cleanup & Abatement Order (CAO) No. R9-2002-201. Directive No. 1 to CAO No. R9-2002-201 ordered Schutte & Koerting, Inc. and Ametek, Inc. to complete delineation (provide a Report) of the extent of pollution and contamination caused by discharges of chlorinated solvents and other wastes from the site by April 30, 2003. Although the Report was submitted on April 30, 2003, the Report failed to provide sufficient information or analysis to support the conclusion that the plume of waste from discharges of chlorinated solvents at 790

Greenfield Drive, El Cajon has been delineated. To date, the chlorinated pollution has been detected in ground water approximately 7,000 feet from the source area at the site.

### *Background*

Ketema (formerly Ametek, now known as Schutte & Koerting) owned and operated an aerospace manufacturing facility at 790 Greenfield Drive in El Cajon until it was sold to the current owner, Senior Flexonics. Ametek discharged spent chlorinated solvents to a redwood circular sump from which solvents were deposited in soil and discharged to ground water causing conditions of pollution and the threat of continued pollution/contamination. Between 1998 and the present, Ametek & Ketema have, under the direction of the Regional Board investigated the scope and extent of ground water contamination associated with the discharge from the Ametek/Ketema operations. Since 1989 (14 years), the Regional Board has required delineation of this plume.

When Ketema sold its manufacturing facility to Senior Flexonics in 1998/99, Ketema represented to the Regional Board that Ketema would complete the ongoing investigation and follow up with any cleanup and abatement required by the Regional Board. Ketema has long advocated establishment of a "containment zone" within which the waste solvents discharged from its facility would be allowed to dissipate over time through natural degradation/dispersion processes. However, as a result of the investigation undertaken by Ketema, the Regional Board concluded in June, 2001, that the situation at the Ketema site did not qualify for the establishment of a containment zone and required Ketema (now Schutte and Koerting (S&K)) and Ametek to submit a work plan for active rather than passive cleanup of ground water contaminated with chlorinated solvent waste (Addendum No. 3 to CAO No 98-11). S&K and Ametek filed joint petitions for review of Addendum No. 3 to CAO 98-11 by the State Water Resources Control Board (SWRCB).

The SWRCB dismissed S&K and Ametek's petition for review of the Regional Board's decision to adopt Addendum No. 3 to Cleanup and Abatement Order No. 98-11 (OCC File No. A-1310) on the grounds that it did not raise substantial issue suitable for review by the SWRCB. On August 8, 2001 S&K and Ametek filed a joint petition with San Diego Superior Court for review of the Regional Board's decision to adopt Addendum No. 3 to CAO 98-11.

The Regional Board agreed to voluntary mediation with S&K and Ametek to resolve outstanding issues. In July 2002, all parties worked through a mutual understanding that resulted in replacing CAO 98-11 and Addenda with CAO R9-2002-201. CAO R9-2002-201 was issued September 19, 2002 and required S&K and Ametek to submit a Ground Water Management Plan, a Ground Water Model Work Plan, a complete Plume Delineation Report, and a Feasibility Study. The NOV was issued for submittal of an insufficient Delineation Report.

6. Mission Bay Landfill (Brian McDaniel and John Odermatt)

On July 3, 2003, the Regional Board received a written request from the Sierra Club – San Diego Chapter to formally reclassify the Mission Bay Landfill as a Class I landfill. The letter clearly states their concern as: “The Anheuser Busch Entertainment Corporation, the operator of Sea World Adventure Park, should be given the most accurate description of the leasehold.” The Regional Board staff considered a number of factors and consulted with the State Water Resources Control Board (SWRCB) staff in formulating our response to the request received from the Sierra Club – San Diego Chapter.

- The Mission Bay Landfill was operated as an municipal solid waste landfill, under the prevailing conditions in effect during the time period from 1952 to 1959. The available information does not indicate details concerning pre-disposal site preparation (if any) that may have taken place prior to the onset of waste discharges at the Mission Bay Landfill. There is evidence that the Mission Bay Landfill received wastes that would be classified as hazardous materials/wastes (*i.e.* barrels of solvents, liquid acidic wastes, *etc.*) by current regulatory standards. The Regional Board currently regulates the Mission Bay Landfill through waste discharge requirements issued to the City of San Diego as Order 97-11 and addenda thereto.
- The intent of the SWRCB, regarding application of current regulations to older Units, is expressed in CCR Title 23, Section 2510(g) and CCR Title 27, Section 20080(g). These regulations specifically exempt facilities that were closed, abandoned or inactive (CAI), prior to 1984, from meeting any but the new monitoring requirements. In addition, the decision on whether to apply the revised monitoring or corrective action requirements is at the discretion of the Regional Board.
- The current SWRCB regulations do not classify waste management units (including landfills) based upon the nature of the waste that they received during their operational history. Waste Management Units are classified through a combination of criteria used for siting and prescriptive requirements for containment systems that they meet at the time of permitting for waste management/disposal operations. To be reclassified as a “Class I” waste management unit; the Mission Bay Landfill would have to meet the applicable minimum siting and lining requirements in California Code of Regulations (CCR), Title 23 (“**Chapter 15 – discharges of hazardous waste to land**”) and current CCR Title 22 (*e.g.*, double-composite) liner standards. It is very unlikely that the applicable criteria would be met by the existing Mission Bay Landfill.

On February 5, 2003 the Regional Board adopted a name change for the Order (Addendum No. 3 to Order No. 97-11) currently used to regulate the Mission Bay Landfill. The current title of the Order is: “*General Waste Discharge Requirements for Post-Closure Maintenance of Inactive Landfills Containing Hazardous and Nonhazardous Wastes within the San Diego Region.*” The Regional Board adopted this name change with consideration of a specific request from the Mission Bay Technical

Advisory Committee (TAC) to provide recognition that the Mission Bay Landfill is likely to contain hazardous materials and/or wastes. The supporting information and materials provided for consideration by the Regional Board is posted on our web site (see ITEM No. 6) at:

<http://www.swrcb.ca.gov/rwqcb9/rb9board/feb03.html>

From participation by your Regional Board staff at the Mission Bay TAC, we understand that the City of San Diego will contract for the completion of a site investigation to assess the current conditions at the Mission Bay Landfill. Further, staff understands that the assessment will begin in October with results due back during July 2004. On August 4, 2003 the Regional Board staff sent a letter communicating the information above to the Sierra Club-San Diego Chapter and the Mission Bay TAC.

## **PART B**

### **SIGNIFICANT REGIONAL WATER QUALITY ISSUES**

#### **1. Sanitary Sewer Overflows (SSO)** *(Chiara Clemente, David Hanson, Bryan Ott, Victor Vasquez)* *(Attachment B-1)*

From July 1 to July 31, 2003, there were 11 sanitary sewer overflows (SSOs) from publicly-owned collection systems reported to the Regional Board office; 9 of these spills reached surface waters or storm drains, and two resulted in closure of recreational waters. Of the total number of overflows from public systems, 4 were 1,000 gallons or more.

Two sewage overflows from private property were also reported to have occurred in July; one was 1,000 gallons or more and reached surface waters or storm drains; none resulted in closure of recreational waters.

Only trace amounts of rainfall were recorded at San Diego's Lindbergh Field for July 2003. For comparison, in June 2003, trace rainfall was recorded, and 22 public SSOs were reported. In July 2002, no rainfall was recorded and 28 public SSOs were reported.

Regional Board staff has updated the sewer overflow statistics for each sewer agency by fiscal year (FY) since FY 1998-99 in the attached table entitled "Sanitary Sewer Overflow Statistics." The annual report that was included in the agenda materials for the January Board meeting, titled "Public SSO Statistics Summary for FY 2001-02," is also attached. Staff is in the process of gathering information to report spills using a new reporting parameter (i.e. volume of sewage spilled/total volume conveyed through each system) and will continue to improve the manner that SSO data is presented in the future in order to provide the Regional Board the most meaningful and insightful information.

No Notices of Violation (NOV) were issued in July 2003 for significant sanitary sewer overflows.

#### **2. Clean Water Act Section 401 Water Quality Certification Actions Taken in July 2003** *(Stacey Baczowski)*

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	CERTIFICATION ACTION <sup>1</sup>
7/3/03	California Department of Transportation	Del Mar Heights Auxiliary Lane Project	Construction of a northbound auxiliary lane from 1.1km north of the Del Mar Heights overcrossing to the San Dieguito River bridge on I-5.	Standard
7/3/03	U.S. Border Patrol	Sycamore Creek	This is an "after the fact" application. Approximately 100 feet of streambed was inadvertently graded with a "v" ditch cut in the center.	Time Expired
7/9/03	City of San Diego, Department of Planning	Chollas Creek South Branch Enhancement Segments 2A and 8	Wetland habitat creation and enhancement project to improve water quality in Chollas Creek.	Conditional
7/9/03	Pacific Beach Investment Trust	Clairement Gardens	Development of a 3.1-acre parcel for 13 lots to be used for single-family residential units.	Withdrawn
7/16/03	Fallbrook 2001 LLC	Magnolia Ridge	Construction of 15 single family detached residential units on approximately 44 acres in Fallbrook.	Conditional

1-Standard certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the projects will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action by the Regional Board within specified regulatory timelines.

Public notification of pending 401 Water Quality Certification applications can be found on our web site at [http://www.swrcb.ca.gov/rwqcb9/Programs/Special\\_Programs/401\\_Certification/401\\_certification.html](http://www.swrcb.ca.gov/rwqcb9/Programs/Special_Programs/401_Certification/401_certification.html).

### 3. Second Payment of \$500 Administrative Civil Liability by Castillo & Sons, A & E Auto Recycling (Vicente Rodríguez)

In June 2003, the Regional Board agreed to accept Castillo and Sons' proposal to make a minimum of six monthly payments of \$500 to pay off the \$3,000 liability imposed by ACL Order No. R9-2002-0284, issued in November 2002 for failure to pay fees. On July 31, 2003, Ramon M. Castillo made the second timely payment of \$500. The next payment of \$500 is due August 29, 2003.

### 4. Jurisdiction of Sewage Collections Agencies (Brian Kelley)

At the June 11, 2003 Regional Board meeting, Mr. Richard Dietmeier, with South Coast Water District approached the Board during the public forum to express concern

regarding the ability of sewage collection agencies to gain access to private property for inspections and response to sewage spills from private laterals. Mr. Dietmeier gave an example of a sewage spill that occurred on private property with 9 individual homes connected to a single lateral. In this case, an emergency situation had to be declared before the authorities could take action to shut down the water to the affected homes and terminate the overflow. Mr. Dietmeier asked the Regional Board for assistance in these matters.

In the current absence of state law authorizing local sewerage agencies access to private property for routine inspections and other matters related to private sewer laterals, the Regional Boards and State Boards are unable to provide direct assistance to the sewage collection agencies in this area. Regional Board staff, as well as Board counsel, are not aware of any pending legislation regarding jurisdiction of sewage collection agencies. As such, the ability to regulate and enforce conditions for maintaining private sewer laterals is a matter for the local cities, counties, and sewer districts to address. These agencies might consider adopting local ordinances pertaining to the construction and maintenance of private sewer laterals in addition to allow access to private property for response and repair of sewer overflows. Where appropriate, the Regional Board might consider supporting local agency efforts to prevent sewage overflows from poorly maintained private sewer laterals.

5. City of Laguna Beach Private Sewer Lateral Requirements (Brian Kelley) (Attachment B-5)

In January 2002, the US Environmental Protection Agency (USEPA) conducted a compliance inspection of the City of Laguna Beach (City) sanitary sewer collection system. As a result, USEPA issued a Finding of Violation and Order for Compliance, dated September 30, 2002, that 1) requires the City to take remedial actions to reduce the number of sewage spills from its collection system and 2) sets up a time schedule for the City to develop and implement plans for reducing sewage spills.

The City has identified roots from private laterals to be one of the major causes of sewage collection system spills within its system. USEPA's Compliance Order requires the City to develop a plan to address problems caused by roots from private sewer laterals by October 1, 2003. At their July 1, 2003 meeting, the City Council approved a plan of action for addressing this collection system problem. Attached is a letter from City Council Member Wayne Baglin, dated July 3, 2003, detailing the actions to be taken. The information provided with the letter also describes other measures that have been, or will be, taken by the City to reduce the number of sewage spills from its collection system. For additional information on issues related to the City's wastewater system, please refer to the following website:

<http://4.18.61.11/government/departments/waterquality/>

Regional Board staff will continue to monitor the progress being made by the City in this matter.

6. Harbor Ambient Monitoring Program (Pete Michael) (Attachment B-6)

On July 24, 2003 the Executive Officer sent a letter to the five harbor authorities in the San Diego Region asking for proposals for a coordinated and comprehensive ambient water-quality monitoring program. The need for such a harbor monitoring program was discussed during the June 11<sup>th</sup> Regional Board meeting under Item 13, Marina Permit. The request for the monitoring program is authorized under CWC Section 13225. A copy of the letter is attached.

The Section 13225 letter asks for monitoring proposals to be submitted by January 1, 2004. The actual sampling, analysis, and reporting efforts beginning after that date would eventually track fishability and swimmability of harbor waters and measure trends in protection of beneficial uses. Participants in the San Diego Region program are expected to include industrial, storm water, and boating interests. A harbor ambient monitoring program could become a component of the Southern California Bight regional trend programs called Bight'98, Bight'03, and Bight'08. These periodic water quality monitoring programs are administered by the Southern California Coastal Water Research Project (SCCWRP). A similar regional monitoring effort is underway in San Francisco Bay under a program administered by the San Francisco Estuary Institute (<http://www.sfei.org>).

Recipients of the July 24<sup>th</sup> letter include the Port of San Diego (San Diego Bay), City of San Diego (Mission Bay), City of Oceanside (Oceanside Harbor), U.S. Marine Corps (Del Mar Boat Basin, Camp Pendleton), and County of Orange (Dana Point Harbor). The proposals were requested to be submitted by January 1, 2004. Staff has since been requested by the harbor authorities to provide more specific guidance.

An appropriate harbor ambient monitoring program would:

- include enough sampling locations to provide statistically significant data
- use methods consistent with the California Statewide Ambient Monitoring Program (SWAMP)
- be compatible with the Bight'08 regional monitoring program
- include a strong quality assurance and quality control program
- provide data able to be accessed by the public
- be cost effective

If appropriate, harbor compliance monitoring and sampling in support of total maximum daily load (TMDL) investigations could be incorporated to encourage efficiency and to avoid duplication.

#### 7. NASSCO and Southwest Marine Shipyards (Tom Alo)

NASSCO and Southwest Marine shipyards are scheduled to submit a draft technical report to the Regional Board by October 1, 2003. The purpose of the technical report is to present the data and findings of the comprehensive sediment investigation conducted within and adjacent to the NASSCO and Southwest Marine leaseholds. The technical report is expected to include the following:

- Sediment quality data collected at each shipyard. The data consists of bulk sediment and pore water chemistry, sediment and pore water toxicity, benthic community structure, and bioaccumulation.
- Nature and areal extent of sediment contamination resulting from current and historical waste discharges from the shipyards.
- Biological effects and risks to San Diego Bay beneficial uses (aquatic life, aquatic-dependent wildlife, and human health) associated with sediment contamination at the shipyards.
- Determination and evaluation of cleanup levels protective of beneficial uses, including cleanup levels representing background conditions in San Diego Bay.
- Analysis of sediment remedial alternatives.

Staff will evaluate the report when it is received to determine recommended cleanup levels for the site. The report will also be available for public review.

A public hearing will be held at the end of this year or early next year to establish final sediment cleanup levels for the sites. It is anticipated that the Regional Board will consider adoption of Cleanup and Abatement Orders (CAO) for NASSCO, Southwest Marine, and other responsible parties, as appropriate at the hearing or at a subsequent Board Meeting. The CAOs will direct cleanup or abatement of the discharges in accordance with the final cleanup levels and will include a time schedule for compliance with the directives.

#### 8. Budget Trade and Gas, Status of Cleanup (*Sue Pease*)

At the February 2003 Board meeting, staff presented to the Board the status of cleanup at the site. Mr. Jimmy Hsu had agreed to install a high-vacuum vapor extraction system to cleanup the contaminated soil and ground water. In the time since February, the State Water Resources Control Board Underground Storage Tank Cleanup Fund has discontinued granting cost pre-approval for UST cleanup proposals, partially due to lack of staff resources brought on by the State Budget problems. Since Mr. Hsu could not get a cost preapproval, the consultant (Mr. Chuck Houser with Southern California Soils & Testing) was reluctant to initiate installation of the remediation system because of ongoing payment problems with Jimmy Hsu.

In late May or early June, Mr. Houser left Southern California Soils & Testing (SCST) for another environmental firm. Mr. Hsu was unsure whether to retain Mr. Houser at his new firm because Mr. Hsu had received many Notices of Violation for late reports, failure to submit data electronically, and incomplete reports. Mr. Hsu recently decided to work with SCST, thus, a new consultant will be assigned to the project by SCST.

The size of the groundwater contaminant plume has not increased, and the contaminant levels within the plume are not increasing. There are no drinking water wells within 2 miles of the site. Therefore, the delays in starting up the remediation system have not

resulted in further degradation of water quality at the site, and no drinking water wells are threatened by the pollution.

Staff will direct Mr. Hsu to pursue cost preapproval for the dual phase high vacuum remediation system, and update the Board members on the status of the site at the November 2003 Board meeting.

9. Mr. Ernest Moretti Compliance/Cleanup Update, Santa Ysabel (*Barry S. Pulver*)

The increased enforcement activity directed toward Mr. Moretti has been extremely effective in achieving our goal of restoring the beneficial uses of groundwater in Santa Ysabel, a groundwater dependent community. Not only is Mr. Moretti complying with all requirements of Cleanup and Abatement Order No. 99-25 (CAO No. 99-25) and Addenda 1, 2, 3, and 4 for the cleanup of the Former Santa Ysabel Chevron site, he has also started an aggressive groundwater cleanup program.

In response to lowered groundwater levels, which exposed gasoline-bearing fractures, the Regional Board amended CAO No. 99-25 requiring Mr. Moretti to begin clean up activities by February 28, 2003. Mr. Moretti complied with the order by installing and operating a vapor extraction system (VES) to cleanup groundwater at the site. The drought-induced lowered groundwater levels have exposed an historic maximum volume of gasoline contaminated soil that can be reached by the airflow of the VES. As of June 30, 2003, after only 4 months of operation, the VES has removed approximately **24,000 pounds, or 3,200 gallons of gasoline** from the subsurface that otherwise would leach into groundwater.

10. Status of Statewide Proposition and Federal Grant Programs (*Dave Gibson*) (*Attachment B-10*)

Prior to 2000, grant funding for water quality projects was limited to federal Clean Water Act 319(h) and 205(j) grant programs. Annual funding available under these grant programs was generally less than 10 million dollars statewide.

In 2000, voters statewide approved Proposition 13, which authorized the State to sell 1.97 billion dollars in general obligation bonds to support safe drinking, water quality, flood protection and water reliability projects throughout the state. In 2002, voters approved Propositions 40 and 50, which authorized the sale of \$6 billion dollars in general obligation bonds to support a variety of land, air, and water conservation program water projects including coastal protection, the CALFED Bay-Delta Program, integrated regional water management, safe drinking water, and water quality protection. These bond acts have provided an unprecedented funding source for water quality and beneficial use protection, restoration, and enhancement projects statewide. Some of these funds are made available through State Water Resources Control Board/Regional Water Quality Control Board competitive grant programs. The first two rounds of competitive Proposition 13 grants were awarded in 2001 and 2002.

In March 2003, the State Board released a combined Request for Concept Proposals that included the federal 319(h) program funds, the first funds available under Proposition 50, and the remaining funds in the three Proposition 13 grant programs (Table 1). The competitive grant application process consisted of two parts: a general Request for Concept Proposals and an invitational Request for Full Proposals. A total of 650 Concept Proposals were submitted statewide. Four regional panels were assembled to evaluate and rank the Concept Proposals. In the Southern Panel, approximately 200 Concept Proposals were reviewed by the State Board, Regions 4, 6, 7, 8, and 9, the CALFED Watershed Program, US EPA, California Coastal Commission, Department of Parks and Recreation, Department of Health Services, Department of Pesticides, and the Resources Agency. The Southern Panel recommended inviting full proposals for 71 projects worth \$83,752,551. The Request for Full Proposals and invitations to selected applicants will be issued by August 15. The full proposals, which must include contract-ready scopes of work and budgets, are due on September 29, 2003. The four regional panels and the Watershed Management Initiative Coordinators will review the full proposals in October and November. The State Board is expected to consider a resolution to award the grants in January 2004.

In the May 2003 Combined Request for Concept Proposals, applicants in the San Diego Region submitted 53 proposals totaling \$83,741,854. Projects in southern California were generally not eligible or competitive for CALFED program funds. Sixteen projects worth \$28,384,972 will be invited to submit a full proposal.

Table 1: Summary of 2003 Combined Request for Concept Proposals Program Funds

<b>Grant Program<sup>1</sup></b>	<b>Statewide Total Available Funds</b>  (millions of dollars)	<b>Funds Available to San Diego</b>  (millions of dollars)	<b>Concept Proposals Submitted in San Diego Region</b>  (millions of dollars)	<b>San Diego Full Proposals to be Invited</b>  (millions of dollars)
Prop. 13 NPS	\$25.0	\$18.5	\$52.2	\$10.0
Prop 13 Coastal NPS	\$11.1	\$4.1	\$23.4	\$1.0
Prop. 13 Watershed Management	\$32.8	\$32.8 <sup>2</sup>	\$79.1	\$16.7
Prop. 13 CALFED <sup>3</sup> Drinking Water Quality	\$12.7	\$0	\$2.3	\$0

<sup>1</sup> Applicants were entitled to submit the same application for more than one grant program fund.

<sup>2</sup> Up to \$1,000,000 for planning and a minimum of \$7,900,000 for Small Communities with Financial Hardship were set aside under the Prop. 13 Watershed Protection Program funding source.

Prop. 13 CALFED Watershed Protection	\$12.1	\$0	\$11	\$0
Prop. 50 CALFED Drinking Water Quality	\$18.1	\$0	\$1.8	\$0
Prop 50 CALFED Watershed Protection	\$15-20	\$0	\$14.4	\$0
319(h) NPS Implementation	\$6.0	\$6.0	\$12.7	\$0.4
Totals	\$137.8	\$61.4	\$196.9	\$28.1

Presently, there are 28 projects worth approximately 19 million dollars in the San Diego Region funded through the Proposition 13, federal 319(h) and 205(j) grant programs (see Table 2 attached). These projects are managed at the Regional Board through contracts administered by the staff of the newly formed Grants and Projects Assistance Unit. The Grants and Projects Assistance Unit is providing assistance to the applicants and other stakeholders to encourage and facilitate the development of sound project proposals to protect, enhance, and restore water quality and beneficial uses throughout the region.

#### 11. Gregory Canyon Landfill (*Carol Tamaki and John Odermatt*)

On June 4, 2003, the Regional Board received a revised Joint Technical Document for the proposed landfill. By letter dated July 6, 2003, the Regional Board staff determined the JTD was incomplete based on a limited review. The July 6, 2003 letter also stated that any additional comments would be provided by August 8, 2003. The Regional Board staff anticipates transmitting additional written comments to the project proponent by August 8, 2003. Regional Board comment letters on JTDs dating back to 2001 are posted on the Regional Board web site at:

**[http://www.swrcb.ca.gov/rwqcb9/programs/units/ldu/gregory\\_canyon.html](http://www.swrcb.ca.gov/rwqcb9/programs/units/ldu/gregory_canyon.html)**

The staff anticipates that the web site will be updated with the most recent round of comments in the near future.

#### 12. Robertson Ranch Parcel No. 1 (*Amy Grove and John Odermatt*)

On April 30, 2003, the Regional Board staff became aware that the McMillan Companies (the “discharger”) had discharged toxaphene contaminated soil (“waste”) to land at the Robertson Ranch – Parcel 1 project located in the City of Carlsbad. Toxaphene is an insecticide that was historically used in agricultural applications. The California Code of Regulations (CCR), Title 22, Division 4.5, establishes criteria at which wastes containing toxaphene residues may be classified as California and/or a RCRA hazardous wastes. Solid wastes containing concentrations of toxaphene in excess of Federal or State criteria may require management as hazardous waste.

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<sup>3</sup> The CALFED Programs support activities that provide benefits to the areas within the CALFED Solution Area. Projects that benefit the resources of the Bay-Delta watershed and support the goals and objectives of CALFED were considered, regardless of the physical location of implementation.

On May 19, 2003, the Regional Board staff issued a notice of violation (NOV Order No. R9-2003-0240) to the discharger for failure to file a Report of Waste Discharge (RWD), violation of Basin Plan discharge prohibitions, and failure to obtain waste discharge requirements before initiating a new discharge of wastes that may affect the quality of water resources in the San Diego Region.

On August 1, 2003, the Regional Board Executive Officer issued an Order, under the authority of Water Code Section 13267, requiring the discharger to provide technical reports of results from an investigation of possible impacts to nearby Calaveras Creek and local groundwater from the management of wastes at the site. The Order also requires the discharger to provide specific information regarding the location, design and construction of an unclassified waste management unit that was reportedly created for onsite reuse/disposal of the wastes. The discharger is required to submit the first technical report of results to the Regional Board by December 30, 2003.

13. San Diego Municipal Storm Water Permit Update (*Phil Hammer*)

The review of all of the Copermittees' Annual Compliance Reports has been completed. The Annual Compliance Reports describe each Copermittee's urban runoff management activities conducted during the previous year. Each Copermittee has received a comment letter from the Regional Board discussing the findings of the review. The comment letters identify areas where more information needs to currently be submitted, in addition to areas where more information should be submitted in the future.

A follow-up investigation assessing the City of National City's (City) response to the February 2003 USEPA/Regional Board compliance evaluation of the City's urban runoff management program has been conducted. The City was found to have adequately corrected the majority of the program deficiencies identified by the compliance evaluation. The City needs to further improve its oversight of construction sites and its new development planning process; these improvements are currently planned by the City. Further follow-up activities assessing these planned improvements will be conducted in the near future.

The Regional Board has received a complaint regarding excessive irrigation runoff in the Seven Oaks area of Rancho Bernardo within the City of San Diego. The Regional Board responded to this complaint by attending a homeowner's meeting in the area, explaining the regulation of urban runoff and steps which can be taken to address irrigation runoff.

14. Request for Technical Report by the Military on Emergent Chemicals Sources and Sampling (*John Anderson*)

In June 2003, the Regional Board sent letters to all military bases within our jurisdiction requesting the military's assistance in identifying potential sources of emergent chemicals [perchlorate, n-nitrosodimethylamine (NDMA), 1,4-dioxane, 1,2,3-trichloropropane, chromium VI, and polybrominated diphenyl ether (PBDE)], in soil, ground water or surface water. Our priority in this regard is assessing the ground-water quality associated

with former and active military facilities for the presence of emergent chemicals of concern. All Regional Boards sent similar letters to their respective military installations.

The detection of emergent chemicals in ground water, above State and Federal maximum contaminant levels (MCLs) or action levels (ALs) have recently caused the Regional Board to reassess the threat posed to ground-water resources used for domestic and municipal supply. Furthermore, many drinking water supply wells have been shut down throughout California due to pollution from one or more of these emergent chemicals. These recent developments have raised concerns about losing beneficial uses of ground water due to the presence of these chemicals in soil, surface water, or ground water. The military was requested to submit a Source Evaluation Report, identifying sources of emergent chemicals at all areas of concern within their facility by October 30, 2003. See related Perchlorate notice in Part C.

## **PART C**

### **STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION**

#### **1. State-Wide Perchlorate Concerns Continue** *(John Anderson)*

Perchlorate is both a naturally occurring and man-made chemical. Most of the perchlorate manufactured in the United States is used as the primary ingredient of solid rocket propellant. Waste from the manufacture and improper disposal of perchlorate-containing chemicals are increasingly being discovered in soil and water. Initiated in February 2003, staff participate in 2-hour monthly Perchlorate Roundtable meetings (last Thursday of each month) to share data and discuss regulatory approaches and plans for future actions. Participants in these meetings include CalEPA, State Board and Regional Board staff, USEPA, Department of Health Services (DHS), Department of Toxics Substances Control (DTSC), and Office of Environmental Health and Hazard Assessment (OEHHA).

Although this is a very important issue for several Regional Boards, particularly Regions 2, 4, and 5, perchlorate releases have not been found in our region to date. Perchlorate was detected at around 5 parts per billion (ppb) (DHS advisory action level is 4 ppb) in Lake Skinner in November and December 2001. The source was determined to be from the imported MWD water from the Colorado River. The Colorado River contains perchlorate concentrations of around 10 ppb as a result of ground-water pollution from a Nevada military contractor facility manufacturing perchlorate.

A joint SWRCB/DTSC perchlorate presentation is available on the SWRCB webpage. Click on "Water Quality" on the left side of the screen; next page, scroll down to "Groundwater Cleanup" and click on "Perchlorate". This page includes the presentation and links to other webpages, including the Confirmed Release Report, DHS drinking water perchlorate information, Region 4, Region 8, and USEPA perchlorate Fact Sheet.